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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,799	03/12/2004	Robert P. Cassoni	527.1003DIV	8292

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EXAMINER

YEAGLEY, DANIEL S

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,799

Applicant(s)

CASSONI, ROBERT P.

Examiner

Daniel Yeagley

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/4/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 14 – 33 are rejected under 35 U.S.C. 102(a) as being anticipated by St. Clair '257.

St. Clair shows a mountable device *for* a golf car (figure 2) comprising a frame *for* placement in a bag bay 12 of a golf car, a frame section 21 contacting a bottom of the bag bay and an attachment device 29 which contacts a bag holder frame (upper portion of element 11) at the bag bay, and a first and second hitching device (left side 41, 44a, 47a, and right side 42, 44a, 47a) which are connected to the frame, such that hitch elements 41 and 42 at least partially extend downward from the frame section so as to at have a height similar to a bumper which at least partially extend downward over the bumper of the golf car and located side-by-side at the rear of the golf car (figure 1) and wherein the first hitching device includes one of a mount tube and a mount bracket which includes a claw (lower L-shaped portion of element 41) and includes a first and a second driven (manually) actuators 22 that move the hitching devices, and wherein the mountable device further shows a first and second detachable golf club carrier 14 having at least one wheel for contacting ground and a golf bag held by a holding device (figure 2, column 3, line 42-43) that are attachable to either one of the first and second hitching devices capable of supporting the carrier when the wheel is off the ground, such that the detachable golf club carrier and hitching devices are movable with respect to a portion of the frame 24 as broadly claimed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casady '746 in view of Tang '031.

Casady shows a mountable device for a golf car comprising first and second hitching devices 29, 30 connected to and movable with respect to a frame 11, the frame being connected to the golf car by at least one attachment device 14, the hitching device having one of a mount tube and bracket which includes a claw 29a and includes a first and second detachable devices being a golf bag carrier that includes a golf bag attached by holding means (top and bottom rings of carrier bag carrier), but failed to show the detachable carriers having at least one wheel for contacting the ground.

Tang shows a golf bag carrier (detachable device) having a golf bag 10 attached by holding means S that includes the feature of at least one wheel for contacting the ground.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified or replaced the golf bag carrier with a golf bag carrier having at least one wheel for contacting the ground as suggested by Tang as it is well known and clearly obvious to one of ordinary skill in the art to utilize wheels on a golf bag carrier in order to wheel the bag around instead of carrying the bag for less fatigue, safety and simply more convenient.

Response to Arguments

5. Applicant's arguments with respect to new claims 14 - 33 have been considered but are moot in view of the new ground(s) of rejection and further Casady does disclose a first hitch device connected to a frame with a detachable device connected to the hitch device which supports an entire weight of the detachable device when off the ground as modified by the wheeled golf bag carrier of Tang as broadly claimed.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cooper '969, Metcalf '955, Hoerner '413, Ziaylek et al '312 and Broman '039 show a hitching device movable with respect to a frame.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Yeagley whose telephone number is (571)-272-6655. The examiner can normally be reached on Mon. - Fri; first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D Morris can be reached on (571) - 272 - 6651. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D.Y.


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